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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------------------|
| 10/734,738 | 12/12/2003 | Gilles Houle | 5053-00509 | 9583 |
| 7590 | 08/24/2006 | | | |
| ERIC B. MEYERTONS MEYERTONS, HOOD, KIVLIN, KOWERT & GOETZEL, P.C. P.O. Box 398 AUSTIN, TX 78767-0398 | | | | EXAMINER CHAWAN, SHEELA C |
| | | | ART UNIT | PAPER NUMBER 2624 |

DATE MAILED: 08/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|------------------------|---------------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 10/734,738 | HOULE ET AL. | |
| | Examiner | Art Unit | |
| | Sheela C. Chawan | 2624 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 28 July 2004.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 415-458, 491, 496, 501, 534, 539, 686, 714 and 720 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) _____ is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) 415-458, 491, 496, 501, 534, 539, 686, 714, and 720 are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
 Paper No(s)/Mail Date _____.
- 4) Interview Summary (PTO-413)
 Paper No(s)/Mail Date. _____.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____.

DETAILED ACTION

Preliminary Amendment

1. Preliminary amendment filed on July 28, 2004 has been entered.

Claims 1-414, 459-490, 492-495, 497-500, 502-533, 535-538, 540-685, 687-713, 715-719, and 721-1092 have been cancelled.

Claims 415-458, 491, 496, 501, 534, 539, 686, 714, and 720 are pending in the application.

Election/Restriction

2. This application contains claims directed to the following patentably distinct species of the claimed invention:

Species I: (fig 16) is directed to an embodiment disclosed at page 31 lines 18 to page 32 line 8; page 40, lines 1-15 and recited in claims 415 – 458, 491 and 496.

Species II: (fig 11) is directed to an embodiment disclosed at page 32 lines 4-8; page 40, lines 1-15 and recited in claims 501, 534 and 539.

Species III: (fig 42) is directed to an embodiment disclosed at page 59 line 19 to page 60 line 12 and recited in claims 686, 714 and 720.

The species are independent or distinct because they are directed to different methods for accessing a document and capturing written information from a document. In Species I, the document comprises at least two information fields and comparison is made using **at least one handwriting profile representation**, while in Species II, the document comprises at least two information fields and the comparison is made using **at least two writing profile representations**, while in Species III, the document

comprises **at least one information field** and the comparison is made using at least one writing profile representation.

3. Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, there is no generic claim.

4. Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

5. Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

Contact Information

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sheela C Chawan whose telephone number is. 571-272-7446. The examiner can normally be reached on Monday - Thursday 7.30 - 6.00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Bella reached on 571-272-7778. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Sheela Chawan
Patent Examiner
Group Art Unit 2624
August 14, 2006

Sheela Chawan
SHEELA CHAWAN
PRIMARY EXAMINER